

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

ADDICTING GAMES, INC.,

Plaintiff,

v.

ADDICTING.COM, ADDICTINGGAMES.COM,
WWWADDICTINGGAMES.COM, and
ADDICTINGGAME.COM, Internet domain
names,

Defendants.

Civil Action No. 19-cv-56-CMH-IDD

**PLAINTIFF'S REQUEST FOR CLERK'S ENTRY OF DEFAULT AGAINST
DEFENDANTS ADDICTINGGAMES.COM, WWWADDICTINGGAMES.COM, AND
ADDICTINGGAME.COM**

Pursuant to Federal Rule of Civil Procedure 55(a), Plaintiff Addicting Games, Inc. ("Plaintiff" or "Addicting Games"), by counsel, respectfully requests that the Clerk of the Court enter default against the Internet domain names AddictinGames.com, wwwAddictingGames.com, and AddictingGame.com ("the Typosquatting Defendants"), for failure to defend the lawsuit. In support of this request, Addicting Games states as follows:

1. Addicting Games filed its Verified Complaint against Defendant Addicting.com on January 14, 2019, alleging cybersquatting and trademark infringement. *See* ECF No. 1.
2. On April 11, 2019, Addicting Games filed a First Amended Complaint ("FAC") joining the Typosquatting Defendants, and adding a claim of counterfeiting against all Defendants. *See* ECF No. 4.
3. AddictinGames.com is an internet domain name which, according to records in the WHOIS database of domain name registrations, is registered by the registrar Sea Wasp, LLC

to an unknown registrant identified as “Privacy ID # 735278” at Savvy Investments, LLC. FAC ¶ 5 and Ex. B.

4. wwwAddictingGames.com is an internet domain name which, according to records in the WHOIS database of domain name registrations, is registered by the registrar Media Elite Holdings Ltd. to an unknown registrant identified as “Domain Administrator” at “Fundacion Privacy Services LTD.” *Id.* ¶ 6 and Ex. C.

5. AddictingGame.com is an internet domain name which, according to records in the WHOIS database of domain name registrations, is registered by the registrar Sea Wasp, LLC to the company Peng Goh, Service Pro, G.P.O. Box 732, Hong Kong HK. *Id.* ¶ 7 and Ex. D.

6. On April 11, 2019, Addicting Games provided the registrant(s) of the Typosquatting Defendants at the time the First Amended Complaint was filed with notice of the alleged violations and a copy of the First Amended Complaint. *See* Declaration of Adrienne Kosak (ECF No. 7-1) ¶ 11 & Attachs. 2-4. The notice was provided via the emails and addresses that the registrant(s) provided to the registrars, or, where no email or address was available, to the registrant(s) care of the registrars. *Id.*

7. On April 15, 2019, Addicting Games filed a Motion to Publish Notice of Action. *See* ECF No. 6.

8. On April 22, 2019, the Court granted Addicting Games’ Motion to Publish Notice of Action and ordered Addicting Games to publish the Order providing notice to the Defendants in *The Washington Post* or *The Washington Times* once within fourteen (14) days after the entry of the Order, and to serve the Order on Defendants via the email addresses on file with the registrars. *See* ECF No. 9. The Order informed Defendants that a response was required within twenty-one (21) days of the date of publication. *Id.* The Order also directed Addicting Games to

file a declaration within twenty-one (21) days after the entry of the Order describing the steps that Addicting Games had taken to comply with the Order. *Id.*

9. Addicting Games served the Order via email on all Defendants on April 22, 2019. *See* Declaration of Adrienne Kosak (ECF No. 10) ¶ 4 & Ex. A. Addicting Games also caused the Order to Publish Notice of Action to be published in *The Washington Times* on April 24, 2019. *See id.* ¶ 5 & Ex. B. Addicting Games filed its declaration describing compliance with the Order on April 30, 2019. *See id.*

10. In accordance with the Order to Publish Notice of Action, Defendants' answer or other response was due no later than May 15, 2019. No answer or other response has been filed or served on behalf of the Typosquatting Defendants. *See* Declaration of Adrienne Kosak (attached hereto as Ex. 1) ¶ 6.

WHEREFORE, for the reasons set forth above, Addicting Games respectfully requests that the Clerk enter default against the Typosquatting Defendants Addictinggames.com, wwwaddictinggames.com, and Addictinggame.com as to all claims asserted by Addicting Games.

Dated: July 8, 2019

By: /s/ Attison L. Barnes, III /s/
Attison L. Barnes, III (VA Bar No. 30458)
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Addicting Games, Inc.*

CERTIFICATE OF SERVICE

I, Attison L. Barnes, III, hereby certify that on July 8, 2019, I electronically served the foregoing on all counsel of record via the Court's CM/ECF system. I also caused a copy to be sent to the registrant(s) of the defendant domain names that have not entered notices of appearances, at the email addresses provided by the registrant(s) to the registrars of the domain names:

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/s/ Attison L. Barnes, III /s/

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